

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

TIMOTHY LEROY STRAETEN,)
)
Plaintiff,)
)
v.) No. 4:09CV1132 TCM
)
DON ROPER, et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

Before the Court is plaintiff's post-dismissal letter to the Court, as well as his motion for appointment of counsel.

Plaintiff filed this action on July 15, 2009, pursuant to 42 U.S.C. § 1983. In his complaint seeking monetary damages, plaintiff alleged that his personal property was either lost or stolen by any or all of the defendants when he was transferred from the Potosi Correctional Center to the Jefferson City Correctional Center. The Court dismissed plaintiff's case as legally frivolous and for failure to state a claim, on August 26, 2009.

In a letter, dated December 15, 2009, plaintiff informs the Court that he mailed his offender account statement in August of 2009, and he seeks reassurance that the Court, in fact, received the account statement. The Court received

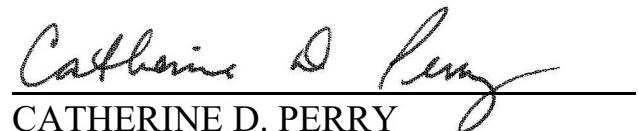
plaintiff's account statement on July 23, 2009, and it was not a factor in the dismissal of his case.

Additionally, plaintiff seeks appointment of counsel to pursue his "case/appeal." As plaintiff's case has been dismissed and his time for appeal has passed, the Court will deny plaintiff's request.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for appointment of counsel [Doc. #8] is **DENIED**.

Dated this 6th day of January, 2010.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE